United Nations A/59/483/Add.2

General Assembly

Distr.: General
14 December 2004

Original: English

Fifty-ninth session
Agenda item 85 (b)

Sustainable development: further implementation of the Programme of Action for the Sustainable Development of Small Island Developing States

Report of the Second Committee*

Rapporteur: Mr. Azanaw Tadesse **Abreha** (Ethiopia)

I. Introduction

1. The Second Committee held a substantive debate on agenda item 85 (see A/59/483, para. 2). Action on sub-item (b) was taken at the 18th, 27th and 34th meetings, on 27 October and 5 and 16 November 2004. An account of the Committee's consideration of the sub-item is contained in the relevant summary records (A/C.2/59/SR.18, 27 and 34).

II. Consideration of proposals

A. Draft resolutions A/C.2/59/L.10 and A/C.2/59/L.27

2. At the 18th meeting, on 27 October, the representative of Qatar, on behalf of the States Members of the United Nations that are members of the Group of 77 and China, introduced a draft resolution entitled "Further implementation of the Programme of Action for the Sustainable Development of Small Island Developing States" (A/C.2/59/L.10), which read:

* The report of the Committee on this item will be issued in eight parts, under the symbol A/59/483 and Add.1-7.

04-64542 (E) 181204

"*The General Assembly*,

"*Recalling* the Declaration of Barbados and the Programme of Action for the Sustainable Development of Small Island Developing States, adopted by the Global Conference on the Sustainable Development of Small Island Developing States, and recalling also its resolution 49/122 of 19 December 1994 on the Global Conference,

"*Recalling also* its resolutions 58/213 A of 23 December 2003 and 58/213 B of 10 June 2004,

"*Recalling further* the offer by the Government of Mauritius to host the International Meeting to Review the Implementation of the Programme of Action for the Sustainable Development of Small Island Developing States,

"*Welcoming* the preparatory activities undertaken at the national, regional and international levels for the International Meeting,

"1. *Recalls* its decision to convene the International Meeting to Review the Implementation of the Programme of Action for the Sustainable Development of Small Island Developing States from 10 to 14 January 2005;

"2. *Decides* to hold two days of informal consultations in Mauritius, on 8 and 9 January 2005, to facilitate the effective preparation of the International Meeting;

"3. *Urges* that representation and participation at the International Meeting be at the highest level;

"4. *Takes note* of the report of the Commission on Sustainable Development, which convened a preparatory meeting for the International Meeting;

"5. *Approves* the organization of work and annotated agenda of the International Meeting, as contained in the note by the Secretary-General;

"6. *Expresses its appreciation* for the contributions made to the voluntary trust fund established for the purpose of assisting small island developing States to participate fully and effectively in the International Meeting and its preparatory process, as approved by the Economic and Social Council in its resolution 2003/55 and decision 2003/283, and urges all Member States and organizations to contribute generously to the fund;

"7. *Decides* that non-governmental organizations whose work is relevant to the subject of the International Meeting that are not currently accredited to the Economic and Social Council may submit applications to participate as observers in the International Meeting not later than 31 October 2004, subject to the approval of the General Assembly at its fifty-ninth session, and reiterates that the participation of major groups, including non-governmental organizations, in the International Meeting shall be in accordance with rule 65 of the provisional rules of procedure of the International Meeting;

"8. *Reiterates* its request that the Secretary-General strengthen the Small Island Developing States Unit within the Department of Economic and Social Affairs of the Secretariat to enable it to effectively assist in the

preparations for the comprehensive review of the implementation of the Programme of Action for the Sustainable Development of Small Island Developing States and in the implementation of the outcome of the International Meeting, and in this regard requests the Secretary-General to strengthen the Unit and the Small Island Developing States Network by providing the resources and professional and support staff necessary to undertake a broad range of functions in support of the system-wide implementation of the Programme of Action and the outcome of the International Meeting, in accordance with the provisions of paragraph 123 of the Programme of Action and as called for in General Assembly resolutions 56/198 of 21 December 2001 and 57/262 of 20 December 2002;

"9. *Decides* to include in the provisional agenda of its sixtieth session, under the item entitled 'Sustainable development', a sub-item entitled 'Further implementation of the outcome of the Global Conference on the Sustainable Development of Small Island Developing States: follow-up to the outcomes of the International Meeting to Review the Implementation of the Programme of Action for the Sustainable Development of Small Island Developing States', and requests the Secretary-General to submit to the General Assembly at its sixtieth session the report of the International Meeting."

3. At the 27th meeting, on 5 November, the Facilitator, Mark Ramsden (New Zealand), on behalf of the Vice-Chairman of the Committee, Ewa Anzorge (Poland), introduced a draft resolution entitled "Further implementation of the Programme of Action for the Sustainable Development of Small Island Developing States" (A/C.2/59/L.27), which was submitted on the basis of informal consultations held on draft resolution A/C.2/59/L.10.

4. At the same meeting, the representative of New Zealand orally corrected operative paragraph 3, by replacing the words "at the highest level" with the words "at the highest possible level".

5. Also at the same meeting, the Committee adopted draft resolution A/C.2/59/L.27, as orally corrected, without a vote (see para. 16, draft resolution I).

6. Before the adoption of the draft resolution, a statement was made by the representative of Cuba; after the adoption of the draft resolution, statements were made by the representatives of New Zealand and Mauritius (on behalf of the States Members of the United Nations that are members of the Alliance of Small Island States).

7. In the light of the adoption of draft resolution A/C.2/59/L.27, draft resolution A/C.2/59/L.10 was withdrawn by its sponsors.

B. Draft resolutions A/C.2/59/L.17 and A/C.2/59/L.34

8. At the 18th meeting, on 27 October, the representative of Qatar, on behalf of the States Members of the United Nations that are members of the Group of 77 and China, introduced a draft resolution entitled "Promoting an integrated management approach to the Caribbean Sea area in the context of sustainable development" (A/C.2/59/L.17), which read:

"*The General Assembly*,

"*Reaffirming* the principles and commitments enshrined in the Rio Declaration on Environment and Development and the principles embodied in the Declaration of Barbados and the Programme of Action for the Sustainable Development of Small Island Developing States, as well as other relevant declarations and international instruments,

"*Recalling* the Declaration and review document adopted by the General Assembly at its twenty-second special session,

"*Taking into account* all other relevant General Assembly resolutions, including resolutions 54/225 of 22 December 1999, 55/203 of 20 December 2000 and 57/261 of 20 December 2002,

"*Taking into account also* the Johannesburg Declaration on Sustainable Development and the Plan of Implementation of the World Summit on Sustainable Development ('Johannesburg Plan of Implementation'),

"*Noting with interest* the respective partnership initiatives voluntarily undertaken by Governments, international organizations and major groups and announced at the Summit,

"*Recalling* the United Nations Convention on the Law of the Sea, which provides the overall legal framework for ocean activities, and emphasizing its fundamental character, conscious that the problems of ocean space are closely interrelated and need to be considered as a whole through an integrated, interdisciplinary and intersectoral approach,

"*Emphasizing* the importance of national, regional and global action and cooperation in the marine sector as recognized by the United Nations Conference on Environment and Development in chapter 17 of Agenda 21,

"*Recalling* the Convention for the Protection and Development of the Marine Environment of the Wider Caribbean Region, signed at Cartagena de Indias, Colombia, on 24 March 1983, which contains the definition of the wider Caribbean region of which the Caribbean Sea is part,

"*Welcoming* the adoption, on 6 October 1999 in Aruba, of the Protocol Concerning Pollution from Land-based Sources and Activities to the Convention for the Protection and Development of the Marine Environment of the Wider Caribbean Region,

"*Welcoming also* the entry into force, on 18 June 2000, of the Protocol Concerning Specially Protected Areas and Wildlife to the Convention for the Protection and Development of the Marine Environment of the Wider Caribbean Region,

"*Recalling* the relevant work done by the International Maritime Organization and its designation of the Caribbean Sea as a Special Area, under annex V to the International Convention for the Prevention of Pollution from Ships, 1973, as modified by the Protocol of 1978 relating thereto,

"*Considering* that the Caribbean Sea area includes a large number of States, countries and territories, most of which are developing countries and small island developing States that are ecologically fragile, structurally weak

and economically vulnerable and are also affected, inter alia, by their limited capacity, narrow resource base, need for financial resources, high levels of poverty and the resulting social problems and the challenges and opportunities of globalization and trade liberalization,

"*Recognizing* that the Caribbean Sea has a unique biodiversity and highly fragile ecosystem,

"*Emphasizing* that the Caribbean countries have a high degree of vulnerability occasioned by climate change, climate variability and associated phenomena, such as the rise in sea level, the El Niño phenomenon and the increase in the frequency and intensity of natural disasters caused by hurricanes, floods and droughts, and that they are also subject to natural disasters, such as those caused by volcanoes, tsunamis and earthquakes,

"*Bearing in mind* the heavy reliance of most of the Caribbean economies on their coastal areas, as well as on the marine environment in general, to achieve their sustainable development needs and goals,

"*Recognizing* the Caribbean Environment Outlook process currently being undertaken by the United Nations Environment Programme, and welcoming the support being provided by the Caribbean Environment Programme of the United Nations Environment Programme towards its implementation,

"*Acknowledging* that the intensive use of the Caribbean Sea for maritime transport, as well as the considerable number and interlocking character of the maritime areas under national jurisdiction where Caribbean countries exercise their rights and duties under international law, present a challenge for the effective management of the resources,

"*Noting* the problem of marine pollution caused, inter alia, by land-based sources and the continuing threat of pollution from ship-generated waste and sewage, as well as from the accidental release of hazardous and noxious substances in the Caribbean Sea area,

"*Taking note* of relevant resolutions of the General Conference of the International Atomic Energy Agency on safety of transport of radioactive materials and paragraph 35 of the Johannesburg Plan of Implementation,

"*Mindful* of the diversity and dynamic interaction and competition among socio-economic activities for the use of the coastal areas and the marine environment and their resources,

"*Mindful also* of the efforts of the Caribbean countries to address in a more holistic manner the sectoral issues relating to the management of the Caribbean Sea area and, in so doing, to promote an integrated management approach to the Caribbean Sea area in the context of sustainable development, through a regional cooperative effort among Caribbean countries,

"*Underlining* the importance of the ongoing work of Working Group I, on climate and disasters, established by the Inter-Agency Task Force for Disaster Reduction,

"*Noting* the efforts of the Caribbean countries, within the framework of the Association of Caribbean States, to develop further support for their

concept of the Caribbean Sea as an area of special importance, in the context of sustainable development and in conformity with the United Nations Convention on the Law of the Sea,

"*Welcoming* the decision by the Association of Caribbean States to establish the Technical Advisory Group to further advance the Caribbean Sea Initiative and the implementation of resolutions 55/203 and 57/261, inter alia, through the preparation of a technical report,

"*Cognizant* of the importance of the Caribbean Sea to present and future generations and to the heritage and the continuing economic well-being and sustenance of people living in the area, and the urgent need for the countries of the region to take appropriate steps for its preservation and protection, with the support of the international community,

"1. *Takes note* of the report of the Secretary-General;

"2. *Takes note also* of the report of the Association of Caribbean States, pursuant to General Assembly resolution 57/261;

"3. *Recognizes* the importance of adopting an integrated management approach to the Caribbean Sea area in the context of sustainable development;

"4. *Encourages* the further promotion of an integrated management approach to the Caribbean Sea area in the context of sustainable development, in accordance with the recommendations contained in resolution 54/225, as well as the provisions of Agenda 21, the Programme of Action for the Sustainable Development of Small Island Developing States, the outcome of the twenty-second special session of the General Assembly, the Johannesburg Declaration on Sustainable Development, the Johannesburg Plan of Implementation and the work of the Commission on Sustainable Development, and in conformity with relevant international law, including the United Nations Convention on the Law of the Sea;

"5. *Also encourages* the continued efforts of the Caribbean countries to develop further an integrated management approach to the Caribbean Sea area in the context of sustainable development and, in this regard, to continue to develop regional cooperation in the management of their ocean affairs in the context of sustainable development, in order to address such issues as land-based pollution, pollution from ships, physical impacts on coral reefs and the diversity and dynamic interaction of, and competition among, socio-economic activities for the use of the coastal areas and the marine environment and their resources;

"6. *Welcomes* the wide range of meaningful activities being implemented within the scope of the mandate of resolution 57/261, with a view to promoting an integrated management approach to the Caribbean Sea area in the context of sustainable development;

"7. *Recognizes* the efforts of Caribbean countries to create conditions leading to sustainable development aimed at combating poverty and inequality, and in this regard welcomes the initiatives of the Association of Caribbean States in the focal areas of sustainable tourism, trade, transport and natural disasters;

"8. *Invites* States to ratify or accede to and implement the United Nations Convention on the Law of the Sea;

"9. *Calls upon* States to continue to prioritize action on marine pollution from land-based sources as part of their national sustainable development strategies and programmes, in an integrated and inclusive manner, and also calls upon them to advance the implementation of the Global Programme of Action for the Protection of the Marine Environment from Land-based Activities and the Montreal Declaration on the Protection of the Marine Environment from Land-based Activities;

"10. *Calls upon* the United Nations system and the international community to assist Caribbean countries and their regional organizations in their efforts to ensure the protection of the Caribbean Sea from degradation as a result of pollution from ships, in particular through the illegal release of oil and other harmful substances, and from illegal dumping or accidental release of hazardous waste, including radioactive materials, nuclear waste and dangerous chemicals, in violation of relevant international rules and standards;

"11. *Calls upon* all relevant States to take the necessary steps to bring into force, and to support the implementation of, the Protocol Concerning Pollution from Land-based Sources and Activities to the Convention for the Protection and Development of the Marine Environment of the Wider Caribbean Region in order to protect the marine environment of the Caribbean Sea from land-based pollution and degradation;

"12. *Calls upon* the international community to support the efforts of the Association of Caribbean States to further implement General Assembly resolutions 55/203 and 57/261, and invites the Association to submit a report on its progress to the Secretary-General for consideration during the sixty-first session of the General Assembly;

"13. *Calls upon* all States to become contracting parties to relevant international agreements to enhance maritime safety and promote the protection of the marine environment of the Caribbean Sea from pollution, damage and degradation from ships and ship-generated waste;

"14. *Supports* the efforts of Caribbean countries to implement sustainable fisheries management programmes by strengthening the Caribbean Regional Fisheries Mechanism;

"15. *Calls upon* States, taking into consideration the Convention on Biological Diversity, to develop national, regional and international programmes for halting the loss of marine biodiversity in the Caribbean Sea, in particular fragile ecosystems, such as coral reefs;

"16. *Invites* intergovernmental organizations within the United Nations system to increase their efforts to assist Caribbean countries in becoming parties to the relevant conventions and protocols and in implementing them effectively;

"17. *Calls upon* the international community, the United Nations system and the multilateral financial institutions, and invites the Global Environment Facility, within its mandate, to support actively national and regional activities towards the above-mentioned approach;

"18. *Expresses deep concern* over the severe destruction and devastation caused to several countries by heightened hurricane activity in the Caribbean region in 2004;

"19. *Urges* the United Nations system and the international community to continue to provide aid and assistance to the Caribbean region in the implementation of long-term programmes of disaster prevention, preparedness, mitigation, management, relief and recovery, based on their development priorities, through the integration of relief, rehabilitation and reconstruction into a comprehensive approach to sustainable development;

"20. *Calls upon* Member States to improve as a matter of priority their emergency response capabilities and the containment of environmental damage, particularly in the Caribbean Sea, in the event of natural disasters or of an accident or incident relating to maritime navigation;

"21. *Requests* the Secretary-General to report to it at its sixty-first session, under the sub-item entitled 'Further implementation of the Programme of Action for the Sustainable Development of Small Island Developing States' of the item entitled 'Sustainable development', on the implementation of the present resolution, taking into account the views expressed by relevant regional organizations."

9. At the 34th meeting, on 16 November, the Facilitator, Mark Ramsden (New Zealand), on behalf of the Vice-Chairman of the Committee, Ewa Anzorge (Poland), introduced a draft resolution entitled "Promoting an integrated management approach to the Caribbean Sea area in the context of sustainable development" (A/C.2/59/L.34), which was submitted on the basis of informal consultations held on draft resolution A/C.2/59/L.17.

10. Also at the 34th meeting, the Committee voted on the fourteenth preambular paragraph, which was retained by a recorded vote of 121 to 1, with 3 abstentions. The voting was as follows:

In favour:

Albania, Algeria, Andorra, Antigua and Barbuda, Argentina, Australia, Austria, Azerbaijan, Bahamas, Bangladesh, Barbados, Belarus, Belize, Bhutan, Bosnia and Herzegovina, Botswana, Brazil, Brunei Darussalam, Bulgaria, Burkina Faso, Cambodia, Canada, Chile, China, Colombia, Costa Rica, Croatia, Cuba, Cyprus, Czech Republic, Democratic People's Republic of Korea, Democratic Republic of the Congo, Denmark, Djibouti, Dominican Republic, Egypt, El Salvador, Estonia, Finland, France, Georgia, Germany, Ghana, Greece, Grenada, Guatemala, Guinea, Guyana, Hungary, Iceland, India, Indonesia, Ireland, Italy, Jamaica, Kazakhstan, Kenya, Lao People's Democratic Republic, Latvia, Lebanon, Lesotho, Libyan Arab Jamahiriya, Liechtenstein, Lithuania, Luxembourg, Malaysia, Maldives, Mali, Malta, Marshall Islands, Mauritius, Mexico, Monaco, Mongolia, Morocco, Mozambique, Namibia, Nepal, Netherlands, New Zealand, Nicaragua, Nigeria, Norway, Oman, Pakistan, Panama, Paraguay, Peru, Poland, Portugal, Qatar, Republic of Korea, Russian Federation, Saint Kitts and Nevis, Saint Lucia, Saint Vincent and the Grenadines, San Marino, Senegal, Serbia and Montenegro, Singapore, Slovakia, Slovenia, South Africa, Spain, Sri Lanka, Suriname, Sweden, Switzerland, Syrian Arab Republic, Thailand, Timor-Leste,

Trinidad and Tobago, Tunisia, Turkey, Ukraine, United Kingdom of Great Britain and Northern Ireland, United Republic of Tanzania, Uruguay, Venezuela (Bolivarian Republic of), Viet Nam, Zambia.

Against:

United States of America.

Abstaining:

Côte d'Ivoire, Ethiopia, Japan.

11. Before the adoption of the fourteenth preambular paragraph, a statement was made by the representative of the United States of America.

12. Statements in explanation of vote before the vote were made by the representatives of Barbados (on behalf of the States Members of the United Nations that are members of the Caribbean Community, as well as Costa Rica, Cuba, Guatemala, Panama and Nicaragua) and Qatar (on behalf of the States Members of the United Nations that are members of the Group of 77 and China).

13. The Committee then adopted draft resolution A/C.2/59/L.34 as a whole without a vote (see para. 16, draft resolution II).

14. Before the adoption of the draft resolution as a whole, a statement was made by the representative of Venezuela.

15. In the light of the adoption of draft resolution A/C.2/59/L.34, draft resolution A/C.2/59/L.17 was withdrawn by its sponsors.

III. Recommendation of the Second Committee

16. The Second Committee recommends to the General Assembly the adoption of the following draft resolutions:

Draft resolution I
Further implementation of the Programme of Action for the Sustainable Development of Small Island Developing States

The General Assembly,

Recalling the Declaration of Barbados[1] and the Programme of Action for the Sustainable Development of Small Island Developing States,[2] adopted by the Global Conference on the Sustainable Development of Small Island Developing States, and recalling also its resolution 49/122 of 19 December 1994 on the Global Conference,

Recalling also its resolutions 58/213 A of 23 December 2003 and 58/213 B of 15 June 2004,

Recalling with appreciation the offer by the Government of Mauritius to host the International Meeting to Review the Implementation of the Programme of Action for the Sustainable Development of Small Island Developing States,

Welcoming the preparatory activities undertaken at the national, regional and international levels for the International Meeting,

1. *Recalls* its decision, in resolution 58/213 B, to convene the International Meeting to Review the Implementation of the Programme of Action for the Sustainable Development of Small Island Developing States from 10 to 14 January 2005;

2. *Decides* to hold two days of informal consultations in Mauritius, on 8 and 9 January 2005, to facilitate the effective preparation of the International Meeting;

3. *Urges* that representation and participation at the International Meeting be at the highest possible level;

4. *Takes note* of the report of the Commission on Sustainable Development, acting as the preparatory meeting for the International Meeting;[3]

5. *Expresses its appreciation* for the contributions made to the voluntary trust fund established for the purpose of assisting small island developing States to participate fully and effectively in the International Meeting and its preparatory process, as approved by the Economic and Social Council in its resolution 2003/55 and decision 2003/283,[4] and urges all Member States and organizations to contribute generously to the fund;

---

[1] *Report of the Global Conference on the Sustainable Development of Small Island Developing States, Bridgetown, Barbados, 25 April-6 May 1994* (United Nations publication, Sales No. E.94.I.18 and corrigenda), chap. I, resolution 1, annex I.

[2] Ibid., annex II.

[3] A/CONF.207/3.

[4] See also A/C.2/58/4.

6. *Decides* that non-governmental organizations whose work is relevant to the subject of the International Meeting, which are not currently accredited to the Economic and Social Council, and which submitted applications to participate as observers in the International Meeting by 31 October 2004, may participate as observers in the International Meeting, subject to the approval of the General Assembly at its fifty-ninth session, and in this regard recalls that the participation of major groups, including non-governmental organizations, in the International Meeting shall be in accordance with rule 65 of the provisional rules of procedure of the International Meeting;[5]

7. *Stresses* that strengthening of the Small Island Developing States Unit of the Department of Economic and Social Affairs has yet to take place, and in this regard reiterates its request to the Secretary-General, as called for in General Assembly resolutions 57/262 of 20 December 2002 and 58/213 A of 23 December 2003, to strengthen the Unit without delay and, within existing resources, to enable the Unit, including the Small Island Developing States Network, to undertake its broad range of mandated functions with a view to facilitating the full and effective implementation of the Declaration of Barbados[1] and the Programme of Action for the Sustainable Development of Small Island Developing States[2] and the outcomes of the International Meeting;

8. *Invites* the International Meeting to consider fully the modalities for strengthening the Small Island Developing States Unit of the Department of Economic and Social Affairs, including the Small Island Developing States Network, to enable it to assist effectively in the implementation of the outcomes of the International Meeting;

9. *Requests* the Secretary-General to submit to the General Assembly at its fifty-ninth session the report of the International Meeting, and decides to include in the provisional agenda of its sixtieth session, under the item entitled "Sustainable development", a sub-item entitled "Further implementation of the outcome of the Global Conference on the Sustainable Development of Small Island Developing States and follow-up to the outcomes of the International Meeting to Review the Implementation of the Barbados Programme of Action".

[5] A/58/567 and Corr.1.

Draft resolution II
Promoting an integrated management approach to the Caribbean Sea area in the context of sustainable development

The General Assembly,

Reaffirming the principles and commitments enshrined in the Rio Declaration on Environment and Development[1] and the principles embodied in the Declaration of Barbados[2] and the Programme of Action for the Sustainable Development of Small Island Developing States,[3] as well as other relevant declarations and international instruments,

Recalling the Declaration and review document adopted by the General Assembly at its twenty-second special session,[4]

Taking into account all other relevant General Assembly resolutions, including resolutions 54/225 of 22 December 1999, 55/203 of 20 December 2000 and 57/261 of 20 December 2002,

Taking into account also the Johannesburg Declaration on Sustainable Development[5] and the Plan of Implementation of the World Summit on Sustainable Development ("Johannesburg Plan of Implementation"),[6]

Noting with interest the respective partnership initiatives voluntarily undertaken by Governments, international organizations and major groups and announced at the Summit,

Reaffirming the United Nations Convention on the Law of the Sea,[7] which provides the overall legal framework for ocean activities, and emphasizing its fundamental character, conscious that the problems of ocean space are closely interrelated and need to be considered as a whole through an integrated, interdisciplinary and intersectoral approach,

---

[1] *Report of the United Nations Conference on Environment and Development, Rio de Janeiro, 3-14 June 1992* (United Nations publication, Sales. No. E.93.I.8 and corrigenda), vol. I: *Resolutions adopted by the Conference*, resolution 1, annex I.

[2] *Report of the Global Conference on the Sustainable Development of Small island Developing States, Bridgetown, Barbados, 25 April-6 May 1994* (United Nations publication, Sales No. E.94.I.18 and corrigenda), chap. I, resolution I, annex I.

[3] Ibid., annex II.

[4] See resolution S-22/2, annex.

[5] *Report of the World Summit on Sustainable Development, Johannesburg, South Africa, 26 August-4 September 2002* (United Nations publication, Sales No. E.03.II.A.1 and corrigendum), chap. I, resolution 1, annex.

[6] Ibid., resolution 2, annex.

[7] See *The Law of the Sea: Official Texts of the United Nations Convention on the Law of the Sea of 10 December 1982 and of the Agreement relating to the Implementation of Part XI of the United Nations Convention on the Law of the Sea of 10 December 1982 with Index and Excerpts from the Final Act of the Third United Nations Conference on the Law of the Sea* (United Nations publication, Sales No. E.97.V.10).

Emphasizing the importance of national, regional and global action and cooperation in the marine sector as recognized by the United Nations Conference on Environment and Development in chapter 17 of Agenda 21,[8]

Recalling the Convention for the Protection and Development of the Marine Environment of the Wider Caribbean Region, signed at Cartagena de Indias, Colombia, on 24 March 1983,[9] which contains the definition of the wider Caribbean region of which the Caribbean Sea is part,

Welcoming the adoption, on 6 October 1999 in Aruba, of the Protocol Concerning Pollution from Land-based Sources and Activities[10] to the Convention for the Protection and Development of the Marine Environment of the Wider Caribbean Region,

Welcoming also the entry into force, on 18 June 2000, of the Protocol Concerning Specially Protected Areas and Wildlife[10] to the Convention for the Protection and Development of the Marine Environment of the Wider Caribbean Region and the establishment by the United Nations Environment Programme of the Regional Activities Centre in Guadaloupe to assist in the implementation of the Protocol,

Recalling the relevant work done by the International Maritime Organization,

Considering that the Caribbean Sea area includes a large number of States, countries and territories, most of which are developing countries and small island developing States that are ecologically fragile, structurally weak and economically vulnerable and are also affected, inter alia, by their limited capacity, narrow resource base, need for financial resources, high levels of poverty and the resulting social problems and the challenges and opportunities of globalization and trade liberalization,

Recognizing that the Caribbean Sea has a unique biodiversity and highly fragile ecosystem,

Emphasizing that the Caribbean countries have a high degree of vulnerability occasioned by climate change, climate variability and associated phenomena, such as the rise in sea level, the El Niño phenomenon and the increase in the frequency and intensity of natural disasters caused by hurricanes, floods and droughts, and that they are also subject to natural disasters, such as those caused by volcanoes, tsunamis and earthquakes,

Expressing deep concern over the severe destruction and devastation caused to several countries by heightened hurricane activity in the Caribbean region in 2004,

Recognizing national and regional efforts to undertake disaster preparedness, response and mitigation efforts to minimize the impact of natural disasters, and reiterating the responsibility of all States in that regard,

---

[8] *Report of the United Nations Conference on Environment and Development, Rio de Janeiro, 3-14 June 1992* (United Nations publication, Sales No. E.93.I.8 and corrigenda), vol. I: *Resolutions adopted by the Conference*, resolution 1, annex II.

[9] United Nations, *Treaty Series*, vol. 1506, No. 25974.

[10] Available on the Internet at www.cep.unep.org/law/lbsmpnut.htm.

Bearing in mind the heavy reliance of most of the Caribbean economies on their coastal areas, as well as on the marine environment in general, to achieve their sustainable development needs and goals,

Recognizing the Caribbean Environment Outlook process currently being undertaken by the United Nations Environment Programme, and welcoming the support being provided by the Caribbean Environment Programme of the United Nations Environment Programme towards its implementation,

Acknowledging that the intensive use of the Caribbean Sea for maritime transport, as well as the considerable number and interlocking character of the maritime areas under national jurisdiction where Caribbean countries exercise their rights and duties under international law, present a challenge for the effective management of the resources,

Noting the problem of marine pollution caused, inter alia, by land-based sources and the continuing threat of pollution from ship-generated waste and sewage, as well as from the accidental release of hazardous and noxious substances in the Caribbean Sea area,

Taking note of the relevant resolutions of the General Conference of the International Atomic Energy Agency on safety of transport of radioactive materials,

Mindful of the diversity and dynamic interaction and competition among socio-economic activities for the use of the coastal areas and the marine environment and their resources,

Mindful also of the efforts of the Caribbean countries to address in a more holistic manner the sectoral issues relating to the management of the Caribbean Sea area and, in so doing, to promote an integrated management approach to the Caribbean Sea area in the context of sustainable development, through a regional cooperative effort among Caribbean countries,

Noting the importance of the ongoing work of the Working Group on climate change and disaster risk reduction, established by the Inter-Agency Task Force for Disaster Reduction,

Noting the efforts of the Caribbean countries, within the framework of the Association of Caribbean States, to develop further support for their concept of the Caribbean Sea as an area of special importance, in the context of sustainable development and in conformity with the United Nations Convention on the Law of the Sea,

Welcoming the decision by the Association of Caribbean States to establish the Technical Advisory Group to further advance the Caribbean Sea Initiative and the implementation of resolutions 55/203 and 57/261, inter alia, through the preparation of a technical report,

Cognizant of the importance of the Caribbean Sea to present and future generations and to the heritage and the continuing economic well-being and sustenance of people living in the area, and the urgent need for the countries of the region to take appropriate steps for its preservation and protection, with the support of the international community,

1. *Takes note* of the report of the Secretary-General;[11]

2. *Takes note also* of the report of the Association of Caribbean States,[12] pursuant to General Assembly resolution 57/261;

3. *Recognizes* the importance of adopting an integrated management approach to the Caribbean Sea area in the context of sustainable development;

4. *Encourages* the further promotion of an integrated management approach to the Caribbean Sea area in the context of sustainable development, in accordance with the recommendations contained in resolution 54/225, as well as the provisions of Agenda 21,[8] the Programme of Action for the Sustainable Development of Small Island Developing States,[3] the outcome of the twenty-second special session of the General Assembly,[4] the Johannesburg Declaration on Sustainable Development,[5] the Johannesburg Plan of Implementation[6] and the work of the Commission on Sustainable Development, and in conformity with relevant international law, including the United Nations Convention on the Law of the Sea;[7]

5. *Also encourages* the continued efforts of the Caribbean countries to develop further an integrated management approach to the Caribbean Sea area in the context of sustainable development and, in this regard, to continue to develop regional cooperation in the management of their ocean affairs in the context of sustainable development, in order to address such issues as land-based pollution, pollution from ships, physical impacts on coral reefs and the diversity and dynamic interaction of, and competition among, socio-economic activities for the use of the coastal areas and the marine environment and their resources;

6. *Welcomes* the wide range of activities being implemented within the scope of the mandate of resolution 57/261, with a view to promoting an integrated management approach to the Caribbean Sea area in the context of sustainable development;

7. *Recognizes* the efforts of Caribbean countries to create conditions leading to sustainable development aimed at combating poverty and inequality, and in this regard notes with interest the initiatives of the Association of Caribbean States in the focal areas of sustainable tourism, trade, transport and natural disasters;

8. *Calls upon* States to continue to prioritize action on marine pollution from land-based sources as part of their national sustainable development strategies and programmes, in an integrated and inclusive manner, and also calls upon them to advance the implementation of the Global Programme of Action for the Protection of the Marine Environment from Land-based Activities[13] and the Montreal Declaration on the Protection of the Marine Environment from Land-based Activities;[14]

9. *Calls upon* the United Nations system and the international community to assist, as appropriate, Caribbean countries and their regional organizations in their efforts to ensure the protection of the Caribbean Sea from degradation as a result of pollution from ships, in particular through the illegal release of oil and other harmful substances, and from illegal dumping or accidental release of hazardous

[11] A/59/173.

[12] Ibid., annex.

[13] A/51/116, annex II.

[14] E/CN.17/2002/PC.2/15, annex, sect. I.

waste, including radioactive materials, nuclear waste and dangerous chemicals, in violation of relevant international rules and standards, as well as pollution from land-based activities;

10. *Calls upon* all relevant States to take the necessary steps to bring into force, and to support the implementation of, the Protocol Concerning Pollution from Land-based Sources and Activities[10] to the Convention for the Protection and Development of the Marine Environment of the Wider Caribbean Region[9] in order to protect the marine environment of the Caribbean Sea from land-based pollution and degradation;

11. *Calls upon* the international community to continue to support the efforts of the Association of Caribbean States to further implement General Assembly resolutions 55/203 and 57/261, and invites the Association to submit a report on its progress to the Secretary-General for consideration during the sixty-first session of the General Assembly;

12. *Calls upon* all States to become contracting parties to relevant international agreements to enhance maritime safety and promote the protection of the marine environment of the Caribbean Sea from pollution, damage and degradation from ships and ship-generated waste;

13. *Supports* the efforts of Caribbean countries to implement sustainable fisheries management programmes by strengthening the Caribbean Regional Fisheries Mechanism;

14. *Calls upon* States, taking into consideration the Convention on Biological Diversity,[15] to develop national, regional and international programmes for halting the loss of marine biodiversity in the Caribbean Sea, in particular fragile ecosystems, such as coral reefs;

15. *Invites* intergovernmental organizations within the United Nations system to continue their efforts to assist Caribbean countries in becoming parties to the relevant conventions and protocols and in implementing them effectively;

16. *Calls upon* the international community, the United Nations system and the multilateral financial institutions, and invites the Global Environment Facility, within its mandate, to support actively national and regional activities towards the above-mentioned approach;

17. *Urges* the United Nations system and the international community to continue to provide aid and assistance to the countries of the Caribbean region in the implementation of their long-term programmes of disaster prevention, preparedness, mitigation, management, relief and recovery, based on their development priorities, through the integration of relief, rehabilitation and reconstruction into a comprehensive approach to sustainable development;

18. *Calls upon* Member States to improve as a matter of priority their emergency response capabilities and the containment of environmental damage, particularly in the Caribbean Sea, in the event of natural disasters or of an accident or incident relating to maritime navigation;

---

[15] United Nations, *Treaty Series*, vol. 1760, No. 30619.

19. *Requests* the Secretary-General to report to it at its sixty-first session, under the sub-item entitled "Further implementation of the Programme of Action for the Sustainable Development of Small Island Developing States" of the item entitled "Sustainable development", on the implementation of the present resolution, taking into account the views expressed by relevant regional organizations.